

Appl. No. 10/645,362
Atty. Docket No. CM2689QL
Amdt. dated June 22, 2006
Reply to Office Action of March 24, 2006
Customer No. 27752

REMARKS

Claim Status

Claims 1 - 19 are pending in the present application. No additional claims fee is believed to be due.

Rejection Under 35 USC §102 Over Wang *et al.* (US Patent No. 5,849,405)

Claims 1 - 19 have been rejected under 35 USC §102(b) as being anticipated by Wang *et al.* (US Patent No. 5,849,405). Applicant respectfully traverses the rejection.

The Wang reference discloses absorbent materials having improved absorbent properties, or super absorbent polymers as they are sometimes referred to by those of ordinary skill in the art, and a method of making the same. The present invention on the other hand teaches, *inter alia*, an absorbent core for collection of bodily fluids, such as urine. Under 37 CFR §1.104(c)(2), when a reference, cited by the examiner for rejecting claims for want of novelty or obviousness, is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. Because the Wang reference is directed to an absorbent material, specifically a super absorbent material, and at least one embodiment of the present invention is directed to an absorbent core for collection of bodily liquids, the examiner is required under 37 CFR §1.104(c)(2) to point out the particular part or parts of the Wang reference relied upon as nearly as practicable.

The Office Action directs the Applicant to “[s]ee Summary of the Invention, column 5, bottom to column 6, lines 1 - 67, column 7, lines 1 - 55, column 8, lines 17 - 45, column 10, lines 1 - 67, column 11, lines 1 - 48, column 12, lines 16 - 26, column 19, lines 40 - 55, Examples, Table 1 and 2, and claims.” Pointing to broad areas of the cited reference with no accompanying explanation does not provide Applicant with the necessary understanding of the rejection in order for Applicant to respond appropriately. Thus, Applicant respectfully requests that, should the response below not be found persuasive, the Examiner provide a more detailed explanation of the reasons for the rejection of Claims 1 - 19 under 35 USC §102(b) as required by 37 CFR §104(c)(2).

Notwithstanding the fact that the Office Action does not point to particular parts of the prior art nor state specific reasons for rejection, Applicant respectfully submits that the Wang reference does not teach each and every element of the claimed invention. Applicant points out that nowhere in the broad portions of the Wang reference cited in the

Page 2 of 3

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Office Action is there any teaching or disclosure of an absorbent core. . . having super absorbent gelling material in the form of particles, the particles having a ratio of longest to smallest particle dimension in the range of 1 - 5, as is claimed in at least one embodiment of the present invention (See Claim 1). Further, the Wang reference does not disclose a super absorbent gelling material having a Ball Burst Strength after 16 hours of at least 50% of the Ball Burst Strength after 30 minutes, such as is claimed in at least one embodiment of the present invention (See Claim 1).

Because the Wang reference does not teach each and every element of Claim 1 of the present invention, and because all other claims either depend from Claim 1 or depend from a claim that depends from Claim 1, Applicant respectfully requests that the rejection of Claims 1 - 19 under 35 USC §102(b) be reconsidered and withdrawn.


Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied reference. Applicant respectfully requests that the rejection of the claims be reconsidered in light of the arguments set forth herein and that claims 1 - 19 be allowed. Early and favorable action in the case is respectfully requested.

Respectfully submitted,

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